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16 Plaintiff, Pro se

11
12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA WESTERN DIVISION**
14

15 **VOICE INTERNATIONAL, INC., a**
16 **California corporation; DAVID**
17 **GROBER, an individual,**

18 **Plaintiffs,**

19 **vs.**

20 **OPPENHEIMER CINE RENTAL,**
21 **LLC, a Washington corporation;**
22 **OPPENHEIMER CAMERA**
23 **PRODUCTS, INC., a Washington**
24 **corporation; MARTY**
25 **OPPENHEIMER, an individual;**
26 **and DOES 1- 10, inclusive,**

27 **Defendants**

Case No.: 2:15-cv-08830

PLAINTIFF'S COMPLAINT FOR
PATENT INFRINGEMENT

JURY TRIAL DEMANDED

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JURISDICTION AND VENUE

1. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has exclusive subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

2. This Court has personal jurisdiction over the Defendants for at least the following reasons: (1) Defendants committed acts of patent infringement and induced acts of patent infringement by others in this District; (2) Defendants committed liability-producing acts outside this forum causing effects herein and expressly aimed at Plaintiffs who are suffering harm here; (3) Defendants engage in other persistent courses of conduct and derive substantial revenue from products and/or services provided to individuals in this District; and (4) Defendants have purposefully established systematic and continuous contacts with this District and should reasonably be expected to be brought into court here.

3. Venue is proper in this district under 28 U.S.C. §§ 1391(b) and (c), and 1400(b) because a substantial part of the events giving rise to the claim occurred here and because Defendants have committed acts of infringement in this District, and the corporate Defendants reside in this District as they are subject to personal jurisdiction here.

THE PARTIES

4. Plaintiff David Grober (“Grober”) is an individual having an office at 578 West Washington Blvd., Suite 866, Marina Del Rey, CA 90292.

5. Plaintiff Voice International, Inc. (“Voice International”) is a corporation organized under the laws of the State of California, with a principal

1 place of business at 578 West Washington Blvd., Suite 866, Marina Del Rey, CA
2 90292, doing business as Motion Picture Marine.

3
4 6. On information and belief, Defendant Oppenheimer Cine Rentals,
5 LLC (“Oppenheimer Cine”) is a limited liability corporation organized under the
6 laws of the State of Washington. Oppenheimer Cine is engaged in the business of
7 producing, distributing, selling and renting film and video production equipment
8 including camera stabilizers.

9
10 7. On information and belief, Defendant Oppenheimer Camera Products,
11 Inc. (“Oppenheimer Camera”) is a corporation organized under the laws of the State
12 of Washington. Oppenheimer Camera is engaged in the business of producing,
13 distributing, selling and renting film and video production equipment including
14 camera stabilizers.

15
16 8. On information and belief, Defendant Marty Oppenheimer is an
17 individual personally involved in, coordinating, supporting and/or directing the
18 alleged infringing activities of Oppenheimer Cine and Oppenheimer Camera, and
19 has an office at 7400 3rd Avenue South, Seattle, Washington 98108 where he may
20 be served.

21
22 **THE ASSERTED PATENT**

23 9. United States Patent No. 6,611,662 for an Autonomous, Self Leveling,
24 Self Correcting Stabilized Platform (“the ‘662 patent”). The ‘662 patent describes
25 and claims a stabilizer for keeping a camera stable on a moving platform, such as a
26 boat. The ‘662 patent is the subject of *Grober v. Mako Products, Inc.*, currently
27 pending in this District as case no. 2:04-cv-08604.

10. The validity of the '662 patent was affirmed in United States Patent Office reexamination proceeding no. 95/000,092. A true and correct copy of the '662 patent is attached as Exhibit A. Grober is the inventor and owner of the '662 patent and holds all rights and interest thereto. Voice International has an exclusive license from Grober to commercialize the '662 patent.

COUNT 1 – WILLFUL INFRINGEMENT OF THE ‘662 PATENT
(Against All Defendants)

11. Paragraphs 1-10 are incorporated herein by reference.

12. The '662 patent is valid and enforceable, all required maintenance fees having been timely paid.

13. Defendants Oppenheimer Cine Rentals, LLC, Oppenheimer Camera Products, Inc., Marty Oppenheimer, (collectively Defendants) rent and or sell the device infringing the ‘662 patent. That device, known as the MakoHead Camera Stabilizer(“MakoHead”), infringes one or more claims of the ‘662 patent.

14. On information and belief, from at least 2011 to the present, Defendants have rented, used and sold the infringing MakoHead to video and film productions located in this District and elsewhere.

15. On information and belief, from at least 2011 to the present, Defendants have received over \$ 135,000 in income from their infringing activities.

16. On information and belief, Defendants willfully infringed the ‘662 patent, with full knowledge of the *Grober v. Mako Products, Inc.* case in which Oppenheimer Cine was originally a named Defendant.

17. On information and belief, Defendants willfully infringed the '662 patent by improperly withholding evidence, and making false and misleading statements concerning their infringing activities, including stating they had no documents relating to sales or rentals of the MakoHead.

18. Plaintiffs have documents produced by other parties in the *Grober v. MakoHead Products Inc.* case showing Defendants engaged in renting the accused MakoHead device on multiple occasions.

19. Plaintiffs have been irreparably damaged by Defendants infringing the '662 patent, entitling Plaintiffs to monetary and injunctive relief.

20. Defendants' infringement of the '662 patent renders this case exceptional within the meaning of 35 U.S.C. § 285.

PRAAYER FOR RELIEF

21. Judgment that Defendant Oppenheimer Cine has infringed the '662 patent;

22. Judgment that Defendant Oppenheimer Camera has infringed the '662 patent;

23. Judgment that all Defendants have contributed to the infringement of others within the meaning of 35 USC Sec. 271(b) and (c);

24. Judgment that Defendants' infringing activities were and continue to be willful;

JURY TRIAL DEMAND

Plaintiffs request a trial by jury on all claims asserted.

Date: November 12, 2015

Respectively submitted,

/s/ David Grober

David Grober

Plaintiff, in pro per

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